

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

SHIRE FREE CHURCH MONADNOCK, )  
IAN FREEMAN, )

Plaintiffs, )

v. )

No. 1:22-CV-100-SM

SCOTT BAILEY, in his official capacity )  
as Special Agent of the Federal Bureau )  
of Investigation, )

Defendant. )  
\_\_\_\_\_ )

DECLARATION OF KENDALL McBREARTY

I, Kendall McBrearty, declare the following to be true and correct to the best of my knowledge, information, and belief:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have held this position for 8 years.

2. Due to the nature of my official duties, I am familiar with the facts of this case, including the facts surrounding the seizure of evidence from real estate located at 73 Leverett Street, Keene, New Hampshire (the "Property"), on March 20, 2016.

3. On November 28, 2023, I met Bonnie Freeman and Attorney Richard Guerriero at 15 Constitution Drive, Bedford, New Hampshire 03110. The purpose of this meeting was to return 23 items that were seized on March 20, 2016, as referenced above.

4. On November 28, 2023, at 1:30 pm, I returned the following items to Ms. Freeman:

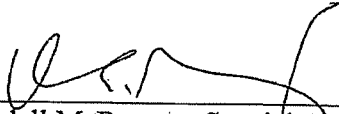
- a. Samsung Model SCH-1545V, S/N 256691520103618113;
- b. Black Sony 8 MB memory card and Sony clear memory card;

- c. ICY Doc 08524694, ICY Doc 14129962, ICY Doc 14125365;
- d. Adata thumb drive;
- e. Hard drive New Trent;
- f. Eversource bills, Oneshira Oil company bill;
- g. Survivor flash, two black thumb drives, Disc Cruzer 86B Drive, Leopard thumb drive;
- h. Canon Vixia HF100, HD SDHC with battery;
- i. Black Consell case with DVDs/CDs;
- j. 366B WD hard drive. 80 GB Seagate HD;
- k. Pivothead camera glasses, Pirate box with 32GB USB;
- l. Samsung SSD-120GB S/N S1D5NSBF630248B;
- m. Two external hard drives – one Toshiba and one Orico;
- n. CASEIT CD/DVD case with DVDs;
- o. USB Safenet Sentinel attached to back of server;
- p. 2GB Sansa San Disk;
- q. Lenovo Notebook S/N PC-00A7Y9;
- r. Four 250GB WD hard drives – WCAT1E588268, WCAT1E505658, WCAT1E617535, WCAT1E619566, and two 150GB hard drives – WXDOLB971033 and WXCOC A928644;
- s. 16GB San Disk Micro, 2GB Micro SD, Micro SD adapter, Transcend SDHC 166B, 720P glasses, cable, instructions;
- t. HP Laptop S/N CNF1091WPK;
- u. Custom desktop;
- v. Custom rack;
- w. Asus desktop custom.

5. The above items represent all items seized from the Property on March 20, 2016, other than those items previously returned to Ian Freeman on April 20, 2016, items returned to Travis Jared Park to resolve the case captioned *Park v. Bailey*, No. 1:19-cv-991-LM, U.S.D.C., D.N.H., and three items identified by FBI as potentially containing contraband. Plaintiffs in this action have agreed to allow the FBI to destroy the items potentially containing contraband.

I declare the foregoing is true and correct to the best of my knowledge and belief, under the penalty of perjury pursuant to 28 U.S.C. § 1746.

Dated: December 6, 2023

  
Kendall McBrearty, Special Agent  
Federal Bureau of Investigation